

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at GREENEVILLE

DAVID LAWRENCE,

Plaintiff,

v.

THOMAS L. GREER, *et al.*,

Defendants.

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Case No. 2:16-cv-144

Judge Mattice
Magistrate Judge Corker

ORDER

On June 3, 2016, United States Magistrate Judge Clifton L. Corker filed his Report and Recommendation (Doc. 5) pursuant to 28 U.S.C. § 636(b)(1). Magistrate Judge Corker recommended that Plaintiff's case be dismissed for lack of subject matter jurisdiction. (*Id.* at 4).

The Parties have filed no objections to the Magistrate Judge's Report and Recommendation.¹ Nevertheless, the Court has conducted a review of the Report and Recommendation, as well as the record, and it agrees with Magistrate Judge Corker's well-reasoned conclusions.

Accordingly:

- The Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Corker's findings of fact, conclusions of law, and recommendations (Doc. 5) pursuant to § 636(b)(1) and Fed. R. Civ. P. 72(b); and

¹ Magistrate Judge Corker specifically advised the Parties that they had 14 days in which to object to the Report and Recommendation and that failure to do so would waive their right to appeal. (Doc. 5 at 4 n.1); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings"). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which the Parties could timely file any objections has now expired.

- Plaintiff's Complaint (Doc. 2) is hereby **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 6th day of July, 2016.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE